

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT McCONNELL,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:10-cv-00021-GMN-CSD

**ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 154)**

In this capital habeas corpus action, after an initial period of 180 days following the resolution of their motion to dismiss, and then a 45-day extension of time, the respondents were to file an answer by March 9, 2023. See Order entered July 24, 2022 (ECF No. 151) (180 days for answer); Order entered January 23, 2023 (ECF No. 153) (45-day extension).

On March 9, 2023, Respondents filed a motion for extension of time (ECF No. 154), requesting further 35-day extension of time, to April 13, 2023, for their answer. Respondents' counsel states that the extension of time is necessary because of his obligations in other cases. Respondents' counsel also states that Petitioner Robert McConnell, who is represented by appointed counsel, does not oppose the motion for extension of time.

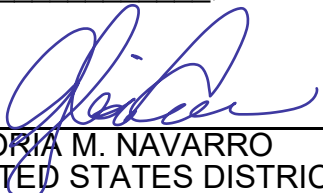
The Court finds that Respondents' motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause for the requested extension of time.

IT IS THEREFORE ORDERED that Respondents' Motion for Enlargement of Time (ECF No. 154) is **GRANTED**. Respondents will have until and including April 13, 2023, to file their answer.

1 **IT IS FURTHER ORDERED** that Petitioner will have 120 days after Respondents
2 file their answer to file a reply to the answer. See Order entered July 24, 2022 (ECF
3 No. 151), p. 57. In all other respects, the schedule for further proceedings set forth in
4 the order entered December 4, 2019 (ECF No. 91) will remain in effect.

5 **IT IS FURTHER ORDERED** that, pursuant to Federal Rule of Civil Procedure
6 25(d), William Gittere is substituted for William Reubart as the respondent warden. The
7 Clerk of the Court is directed to update the docket to reflect this change.

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9 DATED THIS 9 day of March, 2023.

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13 GLORIA M. NAVARRO
14 UNITED STATES DISTRICT JUDGE
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